

PATENT ATTORNEY DOCKET NO. 50308/009002

| Certificate of Mailing: Date of Deposit: | March 26, 2004 | |
|--|-------------------|--|
| Certificate of Mailing. Date of Deposit. | IVIAICII 20, 2004 | |

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Commissioner for Potents, P.O. Poy 1450, Alexandria, VA 22212, 1450

Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Christine M. Colbert

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Müller-Hermelink et al.

Art Unit:

Not Yet Assigned

Serial No.:

10/764,730

Examiner:

Not Yet Assigned

Filed:

January 26, 2004

Customer No.:

21559

Title:

NEOPLASM-SPECIFIC POLYPEPTIDES AND THEIR USES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants submit the references listed on the enclosed Form PTO-1449, copies of which are enclosed.

Submission of this statement is not a representation that a search has been made, nor is the inclusion of information in this statement an admission that the information is material to patentability.

This statement is being filed within three months of the filing date of the application.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: March 26, 1004

Kristyna Bieker-Brady, Ph.D., P.C

Reg/

Clark & Elbing LLP 101 Federal Street Boston, MA 02110

Telephone: 617-428-0200 Facsimile: 617-428-7045



| Ca Madere. | | | | | | • | | 0, | 1001 <u>4</u> |
|---|---|----------------------|---------------------|---|--------------------------------|----------------|----------------------------|---------------------------------|---------------------------------|
| SUBSTITUTE FORM PTO-1449 (MODIFIED) U.S. DEPARTMENT OF COMMERC PATENT AND TRADEMARK OFFICE | | | | | Attorney Docket No. Serial No. | | 50308/009002 10/764,730 | | |
| | | | | | Applicant | | | | |
| | INFORMATI | | | | | | | Müller-Hermelink et al. | |
| | STATEMEN (Use several | | | | | Filing Date | | January 26, 2004 | |
| (07.0 ED. 8.4 | 00/51 | | | | | Group | | Not Assigned Yet March 26, 2004 | |
| (37 C.F.R. § 1 | .96(0)) | | | 0. 0. 75.1 | | IDS Filed | | IVIdIUI 20 | , 2004 |
| | l | <u> </u> | | U.S. PATEN | | | | | |
| Examiner's Initials | Patent Number | Issue Da | ate | Pater | Patentee | | Class | Subclass | Filing Date (If Appropriate) |
| | FORE | EIGNI PATI | -NT (| OR PUBLISHED FOI | PEIGN | PATENT AF | PPI ICATIO | NI | |
| Examiner's | | IGN : A.L | Г | | 1 | ntry or | Class | Subclass | Translation |
| Initials | Document Number | | Publication Date | | | nt Office | Class | Subclass | (Yes/No) |
| | WO 00/37489 A2 | & A3 | June 29, 2000 | | WIP | 0 | | | Yes |
| • | WO 03/011907 A | /O 03/011907 A2 & A3 | | February 13, 2003 | | 0 | | | Yes |
| WO 03/076472 A2 September 18, | | ptember 18, 2003 | WIP | 0 | | | | | |
| | WO 2004/005351 A2 January 15, 2004 | | nuary 15, 2004 | WIP | 0 | | | | |
| | OTHER DOCU | JMENTS (| INCL | UDING AUTHOR, TI | TLE, D | ATE, PLACI | E OF PUBL | ICATION) | |
| | Applemelk et al., 73 (1997). | "Molecular | Mim | icry between <i>Helicot</i> | acter p | oylori and the | e Host," <i>Tre</i> | ends in Micro | biology 5(2):70- |
| | Burrus et al., "Identification of Cysteine-Rich Receptor for Fibroblast Growth Factors," Molecular and Cellular Biology 12(12):5600-5609 (1992). Brändlein et al., "Human Monoclonal IgM Antibodies with Apoptotic Activity Isolated from Cancer Patients," Hum Antibodies 11(4):107-119 (2002). Brändlein et al., "Natural IgM Antibodies and Immunosurveillance Mechanisms Against Epithelial Cancer Cells i Humans," Cancer Res. 63:7995-8005 (2003). Brändlein et al., "Cysteine-Rich Fibroblast Growth Factor Receptor 1, a New Marker for Precancerous Epithelial Lesions Defined by the Human Monoclonal Antibody PAM-1," Cancer Research 63:2052-2061 (2003). Brändlein et al., "CFR-1 Receptor as Target for Tumor-Specific Apoptosis Induced by the Natural Human Monoclonal Antibody PAM-1," Oncology Reports 11:777-784 (2004). Brown and Gatter, "Ki67 Protein: the Immaculate Deception," Histopathology 40:2-11 (2002). | | | | | | | | and Cellular |
| | | | | | | | | | r Patients," <i>Hum</i> . |
| | | | | | | | | | al Cancer Cells in |
| | | | | | | | | | |
| | | | | | | | | | at Human |
| | | | | | | | | | |
| | | e Gaetric H | i*. K | | Autoa | ntigen in Chi | ronic <i>Helic</i> o | bacter pylor | i Gastritis with |
| | | | | ` - ATPase Is a Major nterology 115:340-34 | | | | | |



| d'in. | | | | | | | | | |
|---|---|----------------------------------|-----------------------------|-----------------------|------------|-------------------------|---------------------------------|--|--|
| SUBSTITUTE FORM PTO-1449 U.S. DEPARTMENT OF COMMERC | | | | Attorney Docket No. | | 50308/00 | 50308/009002 | | |
| (MODIFIED) PATENT AND TRADEMARK OF | | | TRADEMARK OFFICE | Serial No. | | 10/764,73 | 10/764,730 | | |
| | | | a- | Applicant | | Müller -H | ermelink et al. | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Filing Date | | January 2 | January 26, 2004 | | |
| (Use several sheets if necessary) (37 C.F.R. § 1.98(b)) | | | Group | | Not Assig | Not Assigned Yet | | | |
| | | | | IDS Filed | | March 26 | March 26, 2004 | | |
| | | | U.S. PATENTS | | | | | | |
| Examiner's Initials | Patent Number | Issue Date | Patentee | Class | | Subclass | Filing Date (If Appropriate) | | |
| | | | | . 1 | | | | | |
| 11 180 | FORE | IGN PATENT O | R PUBLISHED FOREIGN | PATENT AP | PLICATIO |)N | | | |
| Examiner's Initials | Document Number | Publication Date | Country or Patent Office | | | Subclass | Translation (Yes/No) | | |
| | | | | | | | | | |
| | OTHER DOCU | JMENTS (INCLU | DING AUTHOR, TITLE, D | DATE, PLACE | OF PUBI | LICATION) | | | |
| | Crabtree et al., "G Immunol. 37:65-7 | Sastric Interleukir 0 (1993). | n-8 and IgA IL-8 Autoantib | odies in <i>Helic</i> | cobacter p | y <i>lori</i> Infectior | ," Scand. J. | | |
| | Endl and Gerdes, "The Ki-67 Protein: Fascinating Forms and an Unknown Function," Experimental Cell Research 257:231-237 (2000). | | | | | | | | |
| | Gonatas et al., "Truncations of the C-Terminal Cytoplasmic Domain of MG160, a Medial Golgi Sialoglycoprotein, Result in its Partial Transport to the Plasma Membrane and Filopodia," <i>Journal of Cell Science</i> 111:249-260 (1998). | | | | | | | | |
| | Hensel et al., "Mitogenic Autoantibodies in <i>Helicobacter pylori</i> -Associated Stomach Cancerogenesis," <i>Int. J. Cancer</i> 081:229-235 (1999). | | | | | | | | |
| | Hensel et al., "A Novel Proliferation-Associated Variant of CFR-1 Defined by a Human Monoclonal Antibody," Lab Invest. 81(8):1097-1108 (2001). | | | | | | | | |
| | Hensel et al., "A New Variant of Cystein-Rich FGF Receptor (CFR-1) Specifically Expressed on Tumor Cells," Proceedings of the American Association for Cancer Research Annual 41 pp. 698 Abstract 4438 (2000). | | | | | | | | |
| | Ma et al., "Positive Correlation between H,K-Adenosine Triphosphatase Autoantibodies and Helicobacter pylori Antibodies in Patients with Pernicious Anemia," Scand. J. Gastroenterol. 29(11):961-965 (1994). | | | | | | | | |
| | Mourelatos et al., "Cloning and Sequence Analysis of the Human MG160, a Fibroblast Growth Factor and E-Selectin Binding Membrane Sialoglycoprotein of the Golgi Apparatus," DNA and Cell Biology 15:1121-1128 (1996). | | | | | | | | |
| | Negrini et al., "Antigenic Mimicry between <i>Helicobacter pylori</i> and Gastric Mucosa in the Pathogenesis of Body Atrophic Gastritis," <i>Gastroenterol</i> ogy 111:655-665 (1996). | | | | | | | | |
| | Pfaff et al., "Huma | an Monoclonal A | ntibody against a Tissue F | Polypeptide A | ntigen-Rel | lated Protein | from a Patient | | |
| | With a Oighter-King | | • | | | | | | |



Attorney Docket No. SUBSTITUTE FORM PTO-1449 50308/009002 U.S. DEPARTMENT OF COMMERCE (MODIFIED) PATENT AND TRADEMARK OFFICE Serial No. 10/764,730 Applicant Müller-Hermelink et al. INFORMATION DISCLOSURE Filing Date STATEMENT BY APPLICANT January 26, 2004 (Use several sheets if necessary) Group Not Assigned Yet (37 C.F.R. § 1.98(b)) **IDS Filed** March 26, 2004 U.S. PATENTS Examiner's Patent Number Issue Date Patentee Class Subclass Filing Date Initials (If Appropriate) FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION Examiner's Document **Publication** Country or Class Subclass Translation Initials Number Date Patent Office (Yes/No) OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION) Ramires et al., "Ki67 Labelling Index in Gastric Carcinomas. An Immunohistochemical Study Using Double Staining for the Evaluation of the Proliferative Activity of Diffuse-Type Carcinomas," Journal of Pathology. 182:62-67 (1997). Scholzen and Gerdes, "The Ki-67 Protein: From the Known and the Unknown," Journal of Cellular Physiology 182:311-322 (2000). Smalheiser "Proteins in Unexpected Locations," Molecular Biology of the Cell 7:1003-1014 (1996). Steegmaier et al., "The E-Selectin-Ligand ESL-1 Is a Variant of a Receptor for Fibroblast Growth Factor," Nature 373:615-620 (1995). Steegmaier et al., "The E-Selectin-Ligand ESL-1 Is Located in the Golgi as well as on Microvilli on the Cell Surface," Journal of Cell Science 110:687-694 (1997). Steininger et al., "Apoptosis in Chronic Gastritis and its Correlation with Antigastric Autoantibodies," Virchows Arch 433:13-18 (1998). Stieber et al., "MG160, A Membrane Protein of the Golgi Apparatus which Is Homologous to a Fibroblast Growth Factor Receptor and to a Ligand for E-Selectin, Is Found only in the Golgi Apparatus and Appears early in Chicken Embryo Development," Experimental Cell Research 219:562-570 (1995). Stulle et al., "Human Stomach Carcinoma-Specific T Cells Derived from the Tumour-Draining Lymph Nodes," Br. J. Cancer 70:1053-1059 (1994). Vollmers et al., "Monoclonal Antibodies NORM-1 and NORM-2 Induce more Normal Behavior of Tumor Cells In Vitro and Reduce Tumor Growth In Vivo," Cell 40:547-557 (1985). Vollmers et al., "Human Monoclonal Antibodies from Stomach Carcinoma Patients React with Helicobacter pylori and Stimulate Stomach Cancer Cells in Vitro," Cancer 74(5):1525-1532 (1994). Vollmers et al., "Adjuvant Therapy for Gastric Adenocarcinoma with the Apoptosis-Inducing Human Monoclonal Antibody SC-1: First Clinical and Histopathological Results, "Oncology Reports 5:549-552 (1998). **EXAMINER** DATE CONSIDERED EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.



| SUBSTITUTE FORM PTO-1449 (MODIFIED) U.S. DEPARTMENT OF COM PATENT AND TRADEMARK | | | | | Attorney Docket No. Serial No. | | 50308/009002 | | | |
|--|--------------------|---------------------|---------------|-------------------------|--------------------------------|-----------|--------------|--|--|--|
| | | | | | Applicant | | | 10/764,730 | | |
| INFORMATION DISCLOSURE | | | | | Filing Date | | | ermelink et al. | | |
| STATEMENT BY APPLICANT (Use several sheets if necessary) | | | | | - | i | January 2 | | | |
| (07.0.5.0.4.) | 004.0 | | | | Group | | Not Assig | | | |
| (37 C.F.R. § 1 | .98(b)) | | | | IDS Filed | | March 26 | , 2004 | | |
| | | | U.S. PA | ATENTS | | | | | | |
| Examiner's Initials | | | | | - | Class | Subclass | Filing Date (If Appropriate) | | |
| | | | | | | | | | | |
| | FORE | EIGN PATENT (| OR PUBLISHED | FOREIGN | PATENT AF | PPLICATIO | N | | | |
| Examiner's Initials | Document Number | Publication Date | | Country or atent Office | | Class | Subclass | Translation (Yes/No) | | |
| | | | | | | | | | | |
| | OTHER DOCU | JMENTS (INCL | UDING AUTHO | R, TITLE, D | DATE, PLAC | E OF PUBI | LICATION) | | | |
| Vollmers et al., "Nature's Best Weapons to Fight Cancer. Revival of Human Monoclonal IgM Antibodies," Human Antibodies 11:131-142 (2002). | | | | | | | | | | |
| Vollmers and Birchmeier, "Monoclonal Antibodies Inhibit the Adhesion of Mouse B 16 Melanoma Cells in vitro and Block Lung Metastasis in vivo," Proc. Natl. Acad. Sci. 80:3729-3733 (1983). | | | | | | | | | | |
| Zuber et al., "Cysteine-Rich FGF Receptor Regulates Intracellular FGF-1 and FGF-2 Levels," <i>Journal of Cellular Physiology</i> 170:217-227 (1997). | | | | | | | | | | |
| | | | | | | | | | | |
| | | | · · | | | | | | | |
| | | | | , | | | | | | |
| _ | . | | | · | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | - | | | | | 21 H | | |
| | | | , | | | | | | | |
| EXAMINER | l | | - | DATE CO | NSIDERED | · | | | | |
| EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant. | | | | | | | | | | |